

REMARKS

Responsive to the outstanding Office Action, applicant has carefully studied the Examiner's rejections. Favorable reconsideration of the application in light of the amendments and arguments is respectfully requested.

The claims pending in the application are claims 1-20 and 27 and 28. In the response, claims 1 and 16 have been amended and claims 27 and 28 have been newly presented. As 26 claims were paid for with the filing of the original application it is submitted that no claims fees are necessary. It is respectfully submitted that no new matter has been introduced in these amendments.

REJECTION UNDER 35 USC §102

Claim 16 was rejected under 35 USC §102 as being clearly anticipated by Koujima et al. The Examiner states that Koujima discloses a method of producing a magnetic recording medium comprising a spinel-type iron oxide thin film which exhibits a high coercive force and an excellent squareness in an industrially and economically useful manner.

Claim 16 has been amended to indicate that the process is an atmospheric pressure CVD process (as disclosed, at least, in paragraph 4 of the application as filed.) The Examiner has acknowledged that Koujima discloses that the reaction occurs with a high-density, pressure reduced plasma. Plasma assisted CVD typically occurs under reduced pressure and incurs a significantly different process than atmospheric pressure CVD (using energy imparted from the plasma as opposed to ambient heat energy in the atmospheric pressure process.) It is therefore submitted that claim 16 distinguishes over the applied reference.

Further, claim 16 notes that the iron oxide is primarily in the form Fe_2O_3 (as disclosed, at least, in paragraph 6 of the application as filed.) One skilled in the art would recognize that the process described in the present invention would be anticipated to describe the thermodynamically stable form $\alpha\text{-Fe}_2\text{O}_3$, hematite, which has the corundum structure not the spinel structure. The spinel form of iron oxide disclosed

in Koujima teaches away from the crystalline structure expected in the present invention. Thus, newly presented claim 1 further distinguishes over the applied art of record.

Newly presented claim 27 defines the article produced by claim 16 as being an architectural glazing. Koujima teaches the formation of a magnetic recording media which is an entirely different matter than the production of an architectural glazing. Therefore, newly presented claim 27 is believed to further distinguish over the applied art of record.

In view of the above, reconsideration and withdrawal of the rejection against claim 16 is therefore respectfully requested.

REJECTIONS UNDER 35 USC §103

In the Office Action, the Examiner rejects claims 1-15 and 17-20 under 35 USC §103, as being unpatentable over Koujima

The invention as defined in claim 1 provides a method for producing an architectural glazing comprising an iron oxide coating on a glass article by atmospheric pressure chemical vapor deposition. The method comprises providing a heated glass substrate having a surface on which the coating is to be deposited and directing ferrocene and an oxidant toward and along the surface to be coated to form a gaseous precursor mixture. The gaseous precursor mixture is reacted at or near the surface of the glass substrate to form an iron oxide coating. The iron oxide is primarily in the form of Fe_2O_3 .

Claim 1 has been amended herein to define the process as being an atmospheric pressure chemical vapor deposition process. As noted above, support for the process being atmospheric pressure chemical vapor deposition is supported in the application as filed. Claim 1 further defines the iron oxide produced as being essentially all Fe_2O_3 . Newly presented claim 28 defines the process as one of producing an architectural glazing, which is supported, at least, in the first paragraph of the application as filed.

The Koujima reference, as noted by the Examiner, teaches a method of producing a magnetic recording medium comprising a spinel-type iron oxide thin film. The Examiner acknowledges that the reference fails to disclose that the reaction occurs at or near the surface of the substrate.

It is respectfully submitted that the teaching of Koujima would not lead one skilled in the art to the present invention. Koujima, as noted, shows the formation of a magnetic recording medium comprising spinel type iron oxide. There is nothing to teach or suggest the formation of an architectural glazing by atmospheric pressure CVD

Additionally, as noted previously, the applied reference teaches that the iron oxide formed is primarily of the spinel crystalline structure. The iron oxide of the present invention is primarily Fe_2O_3 . One skilled in the art would not look at a spinel type structure and assume that it was primarily Fe_2O_3 , as is the case with the present invention.

While it is submitted that claim 1 defines over Koujima, as shown above, it is respectfully submitted that newly presented claim 28 further defines over this reference. As noted by the Examiner, Koujima teaches a method of making a magnetic recording media. Claim 28 further defines over the method of Koujima in that it is addressed to the production of an architectural glazing, which is a totally different field of art than magnetic recording media. One skilled in the art of architectural glazings would not look to the field of magnetic recording media to define a method of production. Therefore, it is believed that claim 28 further defines over the applied art of record.

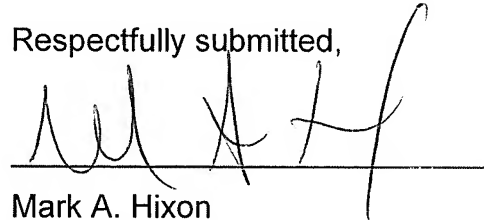
On the basis of the above, it is respectfully submitted that claim 1, and the claims dependent therefrom, are fully distinguishable over the art of record. Claims 17-20 are believed to be allowable in view of their dependence from claim 16, which is believed to be allowable as discussed above.

Summary

Claims 2-15, 17-20 and 27-28, which depend, directly or indirectly from independent claims 1 or 16, are believed to be allowable based, at least, upon this dependence from what are believed to be allowable base claims. Therefore, all of the claims are believed to be allowable over the applied art of record.

In view of the above, it is submitted that all of the claims are in condition for allowance, and action towards that end is respectfully requested. Should the Examiner wish to modify the application in any way, applicant's attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark A. Hixon', is written over a horizontal line.

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